

REMARKS

Claims 7, 11, 13, 15-17 and 19-21 have been cancelled without prejudice to the filing of continuing applications. New Claim 24 has been added and claims 12, 14, 18, 22 and 23 have been amended.

The Claims pending in the above-identified application are Claims 24, 12, 14, 18, 22 and 23.

The amendments and new claim are fully supported by the specification as originally filed. No new matter is added by these amendments.

New Claim 24 differs from previous Claim 7 in that the claimed treatment of a plant, instead of being directed to the obtention of protection of the treated plant against a virus of the tobacco mosaic or a phytopathogenic agent, is directed to the stimulation of a direct elicitor effect of defense reactions in the plant, as stated in the last paragraph of former Claim 7. The "protection" of the plant, the obtention of which was being claimed in former Claim 7, is a consequence of the stimulation of the direct elicitor effect of the plant's defense reactions as appears from the specification. See the specification at page 13, line 14, et seq.

The Examiner's statements on page 2, second paragraph, of the Office Action, according to which the § 112, second paragraph rejections and the § 103(a) rejection had been overcome by the Applicant's amendments and arguments, would seem to clearly apply to the amended claims which differ from the claims to which the Examiner's statement was directed only by new Claim 24.

The method of treatment claimed in new Claim 24 is different

from that claimed in former claim 7 only by the fact that the "protection" of the treated plant is no longer the result to be achieved; instead, the result to be achieved being in the context of the amended claim is the obtention of the contemplated direct elicitor effect.

Applicants respectfully submit that, in view of new Claim 24, the rejection under 35 U.S.C. § 112 (cf. pages 3-5 of the instant action) is moot.

In addition, since the steps of the claimed treatment are the same, no further search would seem to be necessary.

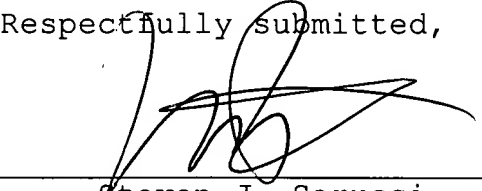
In view of the above amendments and remarks, Applicants respectfully submit that the claims are in condition for allowance. A Notice of Allowance is therefore respectfully solicited.

The Applicants urge the Examiner to contact the Applicants' undersigned representative at (312) 913-2136 if he believes that a discussion would expedite prosecution of this application.

Respectfully submitted,

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By:



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